

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

July 27, 2007

The Nebraska Commission on Law Enforcement and Criminal Justice met Friday, July 27, 2007 at 9:30 AM in Lower Level Conference Room A of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Legal notice of the meeting was published July 13, 2007 in the Lincoln Journal Star.

As amended by LB 898, 2005 Legislature, a copy of the Nebraska Open Meetings Act was available for public review.

I. CALL TO ORDER

The meeting was called to order at 9:33 AM by Acting Chairman David Cookson. The following members were **in attendance**: Acting Chair David Cookson, Scott Arnold, Charles Brewster, Bill Brueggemann, Dean Chase, Scot Ford, Robert Houston, Mike Moser, Bryan Tuma, Derek Vaughn, Thomas Warren and William White. **Members excused**: Susan Jacobs, Gary Lacey, Kathy Moore, Don Overman and James Riskowski. **Staff present**: Mike Behm, William Muldoon, Bruce Ayers, Nancy Steeves, Jennifer Kirkpatrick, Audra Cook, Dave Stolz and Sarah Schoen. **Others present**: Robert Bell, Governor's Policy Research Office and Charles Lowe, Assistant Attorney General.

II. APPROVAL OF MINUTES

Motion

A motion was made by Brewster and seconded by White to approve the minutes of the Crime Commission meeting of May 4, 2007; Nebraska Coalition for Juvenile Justice meeting of June 7, 2007; Crime Commission Grant Review Committee meeting of July 9, 2007; and the Police Standards Advisory Council meetings of April 18 and May 16, 2007. The motion passed unanimously by acclamation.

The minutes from the Jail Standards Board meeting of April 13, 2007, and the Community Corrections Council meeting of June 15, 2007 were provided for the member's review.

III. PUBLIC HEARING FOR THE REVOCATION OF LAW ENFORCEMENT CERTIFICATION OF EUGENE R. CORDER, #LR-058-07

Charles Lowe, Assistant Attorney General, represented the State of Nebraska in the revocation of Eugene Corder's Law Enforcement certification. No counsel was present for Mr. Corder. Lowe stated the purpose of this hearing is to review and consider approval of the Police Standards Advisory Council's (PSAC) decision to revoke the Law Enforcement certificate of Eugene Corder.

Lowe provided the following information about the incident leading to this action:

Eugene Corder was charged in a criminal complaint, filed by the Attorney General's Office, with two misdemeanor counts of theft by unlawful taking. At the time, he was a deputy sheriff at Dawson County and had a current Law Enforcement officer certificate. Pursuant to a plea agreement made in this case, the dismissal of the charges would be made in return for Mr. Corder voluntarily surrendering his Law Enforcement certificate. The Executive Director of the Nebraska Commission on Law Enforcement and Criminal Justice was informed of this plea agreement, and these proceedings were initiated. Shortly after the proceedings and the investigation commenced, a letter was received from Mr. Corder's attorney agreeing to the revocation of his Law Enforcement certificate. Therefore, the Attorney General's Office filed a formal complaint. The action of revoking Mr. Corder's Law Enforcement certificate was then commenced before the Police Standards Advisory Council. The PSAC held a hearing on June 20, 2007. At this hearing, there was no appearance and no opposition by Mr. Corder or through counsel; therefore, evidence was received in the form of exhibits, and the PSAC issued its decision to revoke Mr. Corder's certificate. This decision is now before the Commission for its review and approval.

Lowe explained that he would like to add some documents pre-marked as exhibits and offer them in as evidence with a brief description of each exhibit. Exhibit one is an Affidavit of Notice, prepared by David Stolz (Legal Advisor for the PSAC). This notice, and the attached documents, shows that Mr. Corder was notified of the PSAC's decision for revocation of his Law Enforcement certificate, this particular meeting and that this hearing was on the agenda. Exhibit two is the Administrative Transcript which primarily shows what occurred, the formal complaint that was filed, and the findings, facts and conclusions of the PSAC. Exhibit three is the Administrative Bill of Exceptions which includes the PSAC hearing minutes, the exhibits presented at the hearing and agency records pertaining to the revocation process. Lowe next offered exhibits 1 - 3 to be admitted into the administrative record. This was completed.

Motion

A motion was made by White and seconded by Vaughn to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement certification of Eugene R. Corder. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

IV. PUBLIC HEARING FOR THE REVOCATION OF LAW ENFORCEMENT CERTIFICATION OF BILLY L. HOBBS, #LR-056-06

Charles Lowe, Assistant Attorney General, represented the State of Nebraska in the revocation of Billy Hobbs' Law Enforcement certification. No counsel was present for Mr. Hobbs. Lowe stated the purpose of this hearing is to review and consider approval of the Police Standards Advisory Council's (PSAC) decision to revoke the Law Enforcement certificate of Billy Hobbs.

Lowe provided the following information about the incident leading to this action:

Billy Hobbs was a Nebraska State Patrol officer who was charged with felony child sexual assault in Lancaster County District Court. He plead no contest to this charge and was convicted of the crime, resulting in a prison sentence. The Nebraska State Patrol filed the initial complaint with the Nebraska Crime Commission asking for revocation of Mr. Hobbs' Law Enforcement certificate. This prompted the beginning of an investigation. Shortly after Mr. Hobbs was notified of the investigation, he sent a letter to the Executive Director of the Crime Commission acknowledging his felony conviction and voluntarily surrendering his Law Enforcement certificate. The Attorney General's Office then proceeded by filing a formal complaint. The action of revoking Mr. Hobbs' Law Enforcement certificate was then commenced before the Police Standards Advisory Council. The PSAC held a hearing on June 20, 2007. At this hearing, there was no appearance and no opposition by Mr. Hobbs or through counsel; therefore, evidence was received in the form of exhibits, and the PSAC issued its decision to revoke Mr. Hobbs' certificate. This decision is now before the Commission for its review and approval.

Lowe explained that he would like to add some documents pre-marked as exhibits and offer them in as evidence with a brief description of each exhibit. Exhibit one is an Affidavit of Notice, prepared by David Stolz (Legal Advisor for the PSAC). This notice, and the attached documents, shows that Mr. Hobbs was notified of the PSAC's decision for revocation of his Law Enforcement certificate, this particular meeting and that this hearing was on the agenda. Exhibit two is the Administrative Transcript which primarily shows what occurred, the formal complaint that was filed, and the findings, facts and conclusions of the PSAC. Exhibit three is the Administrative Bill of Exceptions which includes the PSAC hearing minutes, the exhibits presented at the hearing and agency records pertaining to the revocation process. Lowe next offered exhibits 1 - 3 to be admitted into the administrative record. This was completed.

Motion

A motion was made by Ford and seconded by Brewster to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement certification of Billy L. Hobbs. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Vaughn, Warren and White. Abstaining from the motion: Tuma. Motion carried unanimously.

V. PUBLIC HEARING FOR THE REVOCATION OF LAW ENFORCEMENT CERTIFICATION OF DAVID K. ERICKSON, #LR-057-07

Charles Lowe, Assistant Attorney General, represented the State of Nebraska in the revocation of David Erickson's Law Enforcement certification. No counsel was present for Mr. Erickson. Lowe stated the purpose of this hearing is to review and consider approval of the Police Standards Advisory Council's (PSAC) decision to revoke the Law Enforcement certificate of David Erickson.

Lowe provided the following information about the incident leading to this action:

David Erickson was an Omaha Police Department Officer. A citizen complaint was initially filed with the Nebraska Crime Commission asking for revocation of Mr. Erickson's Law Enforcement certificate based on allegations of improper use of a Taser on a suspect in custody. This prompted the beginning of an investigation. Erickson resigned from the Omaha Police Department, and subsequently, during the course of the investigation, a letter was received from Erickson's attorney stating that Erickson was willing to voluntarily surrender his Law Enforcement certificate. The Attorney General's Office then proceeded by filing a formal complaint. The action of revoking Mr. Erickson's Law Enforcement certificate was then commenced before the Police Standards Advisory Council. The PSAC held a hearing on June 20, 2007. At this hearing, there was no appearance and no opposition by Mr. Erickson or through counsel; therefore, evidence was received in the form of exhibits, and the PSAC issued its decision to revoke Mr. Erickson's certificate. This decision is now before the Commission for its review and approval.

Lowe explained that he would like to add some documents pre-marked as exhibits and offer them in as evidence with a brief description of each exhibit. Exhibit one is an Affidavit of Notice, prepared by David Stolz (Legal Advisor for the PSAC). This notice, and the attached documents, shows that Mr. Erickson was notified of the PSAC's decision for revocation of his Law Enforcement certificate, this particular meeting and that this hearing was on the agenda. Exhibit two is the Administrative Transcript which primarily shows what occurred, the formal complaint that was filed, and the findings, facts and conclusions of the PSAC. Exhibit three is the Administrative Bill of Exceptions which includes the PSAC hearing minutes, the exhibits presented at the hearing and agency records pertaining to the revocation process. Lowe next offered exhibits 1 - 3 to be admitted into the administrative record. This was completed.

Motion

A motion was made by Moser and seconded by White to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement certification of David K. Erickson. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn and White. Abstaining from the motion: Warren. Motion carried unanimously.

VI. PUBLIC HEARING FOR THE REVOCATION OF LAW ENFORCEMENT CERTIFICATION OF BRYAN L. TANKESLEY, #LR-037-05

Charles Lowe, Assistant Attorney General, represented the State of Nebraska in the revocation of Bryan Tankesley's Law Enforcement certification. No counsel was present for Mr. Tankesley. Lowe stated the purpose of this hearing is to review and consider approval of the Police Standards Advisory Council's (PSAC) decision to revoke the Law Enforcement certificate of Bryan Tankesley.

Lowe provided the following information about the incident leading to this action:

Bryan Tankesley was a Lincoln Police Department Officer. A citizen complaint was initially filed with the Nebraska Crime Commission asking for revocation of Mr. Tankesley's Law Enforcement certificate based on allegations of domestic abuse and anger control issues both on and off the job. This prompted the beginning of an investigation. Tankesley denied the allegations during the course of this investigation; however, while the investigation proceeded, Mr. Tankesley resigned from the Lincoln Police Department. Subsequently, a letter was received from Tankesley's attorney stating that Tankesley was willing to voluntarily surrender his Law Enforcement certificate. The Attorney General's Office then proceeded by filing a formal complaint. The action of revoking Mr. Tankesley's Law Enforcement certificate was then commenced before the Police Standards Advisory Council. The PSAC held a hearing on June 20, 2007. At this hearing, there was no appearance and no opposition by Mr. Tankesley or through counsel; therefore, evidence was received in the form of exhibits, and the PSAC issued its decision to revoke Mr. Tankesley's certificate. This decision is now before the Commission for its review and approval.

Lowe explained that he would like to add some documents pre-marked as exhibits and offer them in as evidence with a brief description of each exhibit. Exhibit one is an Affidavit of Notice, prepared by David Stolz (Legal Advisor for the PSAC). This notice, and the attached documents, shows that Mr. Tankesley was notified of the PSAC's decision for revocation of his Law Enforcement certificate, this particular meeting and that this hearing was on the agenda. Exhibit two is the Administrative Transcript which primarily shows what occurred, the formal complaint that was filed, and the findings, facts and conclusions of the PSAC. Exhibit three is the Administrative Bill of Exceptions which includes the PSAC hearing minutes, the exhibits presented at the hearing and agency records pertaining to the revocation process. Lowe next offered exhibits 1 - 3 to be admitted into the administrative record. This was completed.

Motion

A motion was made by Brewster and seconded by White to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement certification of Bryan L. Tankesley. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

VII. PUBLIC HEARING FOR REVISIONS TO TITLE 79, CHAPTER 9 RULES & REGULATIONS

A public hearing was held for the revisions to Title 79, Chapter 9 Rules and Regulations. There were no questions or opposition to the requested changes by the Commission Board members or by members of the public.

Motion

A motion was made by Brewster and seconded by White to approve the proposed changes to Title 79, Chapter 9 Rules and Regulations. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

Brewster asked the Commission to recognize Dave Stolz for his hard work on making the revisions to Title 79, Chapter 9 Rules and Regulations.

VIII. EXECUTIVE DIRECTOR'S REPORT

Mike Behm presented his Executive Director's report noting the following:

- Tia Bachman has been hired as the Administrative Assistant for the Community Corrections Council.
- Matthew Dicke has accepted the IT Business System Analyst/Coordinator position for the Information Services Division.
- As of July 1, 2007, there are currently 23 pending revocations. Of these 23 pending revocations, 3 of them have been requested since January 2007. Six of these pending revocations had action taken on them during this July 27, 2007 meeting.
- Behm noted he would be attending the Policy Advisors Conference of NCJA in Phoenix, AZ on July 29-31, 2007.
- Behm also noted he would be attending the State Crime Prevention Leaders Forum in Appleton, WI on August 12-15, 2007. The "Virginia Crime Commission" is funding the trip.
- Behm stated he will be speaking to a Criminal Justice class at Nebraska Wesleyan University on September 12, 2007 and to the Metro Area Chiefs Association on September 28, 2007 in Omaha.
- We included a copy of the 2006 Crime Statistics that were released to the press on July 11, 2007 in the Commission Board members' mailout.

IX. OLD BUSINESS

A. No Old Business

X. NEW BUSINESS

A. Nebraska Law Enforcement Training Center

1. Instructor Certifications

The Crime Commission next considered two requests for **Professional Instructor Certifications**. The Police Standards Advisory Council's recommendations were reported by Dean Chase.

Motion

A motion was made by Vaughn and seconded by Warren to grant the following instructor certifications per Police Standards Advisory Council's recommendations: Professional Instructor Certification to DeAnna Toupin, Lincoln Police Department - Supplemental and Leigh Culver, Omaha Police Department. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

B. Michael Parks Case Report

Acting Chairman Cookson stated the next item on the agenda was to consider the case report on Michael Parks, and that there was a desire to discuss this case report in closed session.

Motion

A motion was made by Brewster and seconded by White to prevent needless injury to a person's reputation, it is hereby moved to have the Crime Commission enter into a closed session at 9:59 AM for the purpose of discussing the Executive Director's case report on Michael Parks. The Crime Commission members, Executive Director, and staff are to remain in the room. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

Acting Chairman Cookson asked that only Crime Commission members, the Executive Director and secretarial Crime Commission staff remain in the room for the closed session which began at 9:59 AM.

Motion

A motion was made by Brewster and seconded by White to return to open session at 10:04 AM. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

The public session of the Crime Commission resumed at 10:04 AM.

Motion

A motion was made by Moser and seconded by Vaughn to approve the recommendation of the Executive Director to dismiss the Michael Parks case with no further action to be taken. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

C. Thomas Brungardt Case Report

Acting Chairman Cookson stated the next item on the agenda was to consider the case report on Thomas Brungardt, and that there was a desire to discuss this case report in closed session.

Motion

A motion was made by White and seconded by Brueggemann to prevent needless injury to a person's reputation, it is hereby moved to have the Crime Commission enter into a closed session at 10:06 AM for the purpose of discussing the Executive Director's case report on Thomas Brungardt. The Crime Commission members, Executive Director, and staff are to remain in the room. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

Acting Chairman Cookson asked that only Crime Commission members, the Executive Director and secretarial Crime Commission staff remain in the room for the closed session which began at 10:06 AM.

Motion

A motion was made by Moser and seconded by Chase to return to open session at 10:22 AM. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

The public session of the Crime Commission resumed at 10:22 AM.

Motion

A motion was made by Moser and seconded by Vaughn to approve the recommendation of the Executive Director to dismiss the Thomas Brungardt case with no further action to be taken. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

D. Award of 2007 Violence of Crime Act (VOCA) Grant Funds – \$2,509,515

Jennifer Kirkpatrick stated that the funds available for victim service programs total \$2,509,515. This amount includes \$57,862 from 2005 VOCA funds that was either turn back funds or additional funds that could be used towards programs; \$16,494 from 2006 VOCA funds that was deobligated from a program; and \$52,559 of 2007 victim assistance state funds. Kirkpatrick stated they received \$2,382,600 in 2007 federal VOCA funds, which is approximately \$147,000 less in federal funds from what they received in 2006.

Forty-two applications were received by the Commission. Of the forty-two applications, two were new programs. Kirkpatrick stated they had approximately \$519,000 over in requests for funding. Because the funding was reduced this year, the Grant Review Committee decided that for those applications that were complete and clear and adequately and appropriately explained the requests in their applications, they automatically received a 3.75% reduction from what they were awarded in 2006. The applications that were not clear, did not explain their requests and had holes in their plans received more than a 3.75% reduction from what they were awarded in 2006. There were two grants which received the amount requested, which was VINE and funding for the Case Management System, because there are no other funding sources for these two projects, and the Case Management System is federally required for us to get the statistics needed.

The two new programs were recommended for denial because of insufficient amount of funds. The first new program was Valentine Northern Quad Counties. Their grant application needed to be enhanced because it had a lot of holes in the plan. Their application was not clear, and it was not clear whether or not they would be able to manage the grant and meet federal guidelines at the same time. The second new program was Seward County. This is their third year for applying for the grant. The first year, their application needed a lot of work, and even though they have done a lot of work since this time, they still need to show the cost effectiveness of their program. However, because of insufficient funds, the Grant Review Committee was not able to recommend them to receive any money. Both new programs had the right to appeal the Grant Review Committee's decision, but no appeals were received from either program.

Motion

A motion was made by Chase and seconded by White to accept the funding recommendations for and contingency stipulations of award as outlined by the Grant Review Committee for the \$2,509,515 in 2007 Victims of Crime Act (VOCA) Grant Funds as follows:

Number	Agency—City (Program Title) (2007 Award)	Amount Requested	Staff Review Amount Recommended	Grant Review Amount Recommended
07-VA-200	Lincoln/Lancaster County Child Advocacy- Lincoln (Child Advocacy Ctr.)(25,516)	\$31,480.00	\$24,556.00	\$24,556.00
07-VA-201	Scotts Bluff County –Gering (Victim/Witness Unit)(34,800)	\$37,200.00	\$33,492.00	\$33,492.00
07-VA-202	Sarpy County Victim Unit – Papillion (Sarpy Co. Victim Ass't.)(127,381)	\$127,381.00	\$122,601.00	\$122,601.00
07-VA-203	Dawson County Attorney – Lexington (V/W Assistance Unit)(30,000)	\$30,000.00	\$28,872.00	\$28,872.00
07-VA-204	Scotts Bluff County Dom. Viol. Task Force – Gering (DOVES) (\$47,000)	\$47,000.00	\$45,234.00	\$45,234.00
07-VA-205	Madison County Attorney – Madison (Victim/Witness Unit) (\$32,000)	\$32,000.00	\$30,797.00	\$30,797.00
07-VA-206	City of Beatrice – Beatrice (Victim Assistance Program)(39,964)	\$45,458.00	\$38,462.00	\$38,462.00
07-VA-207	Adams County Attorney – Hastings (Victim/Witness Unit)(30,000)	\$30,258.00	\$28,872.00	\$28,872.00
07-VA-208	Family Rescue Service – Chadron (DV/SA Services Program) (\$46,000)	\$48,190.00	\$44,272.00	\$44,272.00
07-VA-209	Dodge County – Fremont (Victim Services)(15,600)	\$21,055.00	\$15,012.00	\$15,012.00
07-VA-210	Project Response, Inc.- Auburn (DV/SA Program) (\$58,000)	\$71,284.00	\$55,822.00	\$55,822.00
07-VA-211	DA/SA Services -McCook (DASAS Victim Assistance)(49,000)	\$61,085.00	\$47,159.00	\$47,159.00
07-VA-212	Rape/Dom. Abuse Program- North Platte (Rape/Domestic Abuse Program) (\$61,500)	\$67,548.00	\$59,190.00	\$59,190.00
07-VA-213	City of Kearney – Kearney (Crime Victim Ass't Program)(56,500)	\$59,251.00	\$50,000.00	\$50,000.00
07-VA-214	<i>Douglas County Attorney – Omaha (Omaha/Douglas Co. Victim Asst.) (\$397,000)</i>	<i>\$451,717.00</i>	<i>\$382,109.00</i>	<i>\$382,109.00</i>

07-VA-215	Sandhills Crisis Intervention Program- Ogallala (Victim Assistance) (\$50,000)	\$63,158.00	\$48,122.00	\$48,122.00
07-VA-216	Nebraska CASA- Lincoln (CASA Volunteer Training) (\$9,000)	\$10,352.00	\$8,659.00	\$8,659.00
07-VA-217	Platte County Attorney- Columbus (Victim Assistance Unit) (\$34,965)	\$37,280.00	\$33,650.00	\$33,650.00
07-VA-218	Lincoln Police Department –Lincoln (Victim/Witness Unit)(\$135,000)	\$149,141.00	\$129,929.00	\$129,929.00
07-VA-219	Crisis Center for DV/SA- Fremont (Rural Outreach Program) (\$42,000)	\$49,470.00	\$40,422.00	\$40,422.00
07-VA-220	The S.A.F.E. Center – Kearney (Advocates for Victims of Domestic & Sexual Violence) (\$54,000)	\$57,499.00	\$51,972.00	\$51,972.00
07-VA-221	Friendship Home- Lincoln (Domestic Violence Shelter) (\$88,000)	\$114,000.00	\$84,696.00	\$84,696.00
07-VA-222	City of South Sioux City – So. Sioux City (Dakota Co. Victim Asst. Program)(\$35,000)	\$37,491.00	\$33,684.00	\$33,684.00
07-VA-223	Heartland Family Service – Bellevue (Heartland family Service)(\$40,600)	\$50,657.00	\$39,074.00	\$39,074.00
07-VA-224	City of David City-David City (Butler/Polk Co. Victim Asst.) (\$25,000)	\$25,000.00	\$21,237.00	\$21,237.00
07-VA-225	Parent-Child Center- Lexington (Continuation of Direct Services) (\$60,000)	\$97,450.00	\$57,747.00	\$57,747.00
07-VA-226	SASA Crisis Center – Hastings (SASA Advocacy Project) (\$62,700)	\$94,973.00	\$60,345.00	\$60,345.00
07-VA-227	Center for SA/and DV Survivors- Columbus (Victim Service & Outreach Program) (\$40,000)	\$42,000.00	\$38,497.00	\$38,497.00
07-VA-228	Haven House Family Center – Wayne (Continuation of Victim Services)(\$45,000)	\$48,491.00	\$43,309.00	\$43,309.00
07-VA-229	Bright Horizons-Norfolk (Domestic & Sexual Violence Victim Asst.) (\$51,500)	\$59,670.00	\$49,565.00	\$49,565.00
07-VA-230	Crisis Center, Inc. –Grand Island (SA/DV Services)(\$88,022)	\$109,863.00	\$84,718.00	\$84,718.00

07-VA-231	Catholic Charities-Omaha (The Shelter/Family Passages Child Abuse Victim asst.)((\$34,375)	\$34,800.00	\$33,082.00	\$33,082.00
07-VA-232	Voices of Hope – Lincoln (DV/SV Advocacy Project)((\$82,000)	\$83,398.00	\$78,921.00	\$78,921.00
07-VA-233	Hope Crisis Center – Fairbury (Victim & Family Support)((\$94,000)	\$95,110.00	\$89,204.00	\$89,204.00
07-VA-234	YWCA Omaha – Omaha (WAV-CISS for Crime Victims)((\$135,000)	\$145,250.00	\$129,934.00	\$129,934.00
07-VA-235	Seward County – Seward (Victim Advocate Services of Seward Co.) (\$0.00)	\$34,176.00	Denied	Denied
07-VA-236	Nebraska Crime Commission – Lincoln (VINE Operations VII)((\$195,992)	\$232,990.00	\$195,992.00	\$195,992.00
07-VA-237	City of Grand Island – Grand island (G.I./Hall County Victim Asst. Program)((\$35,000)	\$53,047.00	\$33,684.00	\$33,684.00
07-VA-238	North Central Quad Counties- (\$0.00)	\$15,987.36	Denied	Denied
07-VA-239	Nebraska Domestic Violence Sex. Assault – Lincoln (Statewide DV case Management Software) (\$22,000)	\$58,879.00	\$58,879.00	\$58,879.00
07-VA-240	CEDARS Youth Services- Lincoln (CEDARS Family Violence Services) (\$23,000)	\$28,218.00	\$22,134.00	\$22,134.00
07-VA-241	Lincoln County Attorney's Office- North Platte (Victim Witness Unit)((\$37,000)	\$39,256.00	\$35,609.00	\$35,609.00
	TOTAL	\$3,028,513.36	\$2,509,515.00	\$2,509,515.00

Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Abstaining from Grant #07-VA-214: Vaughn. Motion carried unanimously.

E. Award of 2006 Juvenile Justice and Delinquency Prevention Title V Formula Grant Funds - \$56,250

Audra Cook reviewed the funds available under the 2006 Juvenile Justice and Delinquency Prevention, Title V formula grant program. She stated they had \$56,250 available which is used towards (DMC) Disproportionate Minority Contact. She stated two programs applied for this money, Dawes County - Circle

of Courage and Lancaster County - Tri County DMC Coordinator. This is Dawes County - Circle of Courage's third and final year of being funded for this program. The Lancaster County - Tri DMC County Coordinator is a new program.

The Grant Review Committee decided to split the money equally between the two programs with the stipulation that if one program could not use the funds as the grant is written, then those funds would be given to the other program. Lancaster County sent a letter stating that after a great deal of discussion, they would not be able to use the amount of money awarded and basically withdrew their application. As a result of this letter, the Grant Review Committee is recommending the full amount, \$56,250, be awarded to Dawes County - Circle of Courage.

Motion

A motion was made by White and seconded by Vaughn to accept the Coalition's funding recommendations and contingency stipulations of award as outlined for the 2006 Juvenile Justice and Delinquency Prevention Title V formula grant funds in the amount of \$56,250 as follows:

Number	Agency—City (Program Title) (2005 Award)	Amount Requested	Amount Recommended
06-JP-30	Dawes County- Circle of Courage (\$75,000.00)	\$75,000.00	\$56,250.00
06-JP-31	Lancaster County – Tri County DMC Coordinator (\$15,000.00)	\$56,250.00	Withdrew
	TOTAL	\$131,250.00	\$56,250.00

Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

F. Award of 2006 Juvenile Accountability Block Grant (JABG) Funds - \$356,440

Cook reviewed the funds available under the 2006 Juvenile Accountability Block Grant (JABG) Funds. She stated there was \$356,440 available for award. It is to be noted that the federal government pre-determined the amount of funds to be awarded to grant numbers 06-JA-600, 06-JA-601 and 06-JA-602. The amount available for the Crime Commission to subaward is \$177,421. The Coalition voted to award the funds to the Office of Health and Human Services for the School Intervention Worker Project located in five sites throughout the state. These workers are placed specifically in these schools to work with youth who are on probation. Probation has felt it is very valuable to have these workers in place.

The workers will be placed in schools at the following sites: Columbus, Fremont, Grand Island, Lexington and North Platte.

Motion

A motion was made by Warren and seconded by Tuma to accept the Coalition's funding recommendations and contingency stipulations of award as outlined for the \$356,440 of 2006 Juvenile Accountability Block Grant (JABG) funds as follows:

Number	Agency—City (Program Title) (2005 Award)	Amount Requested	Amount Recommended
06-JA-600	Sarpy County Juvenile Justice Center (\$16,133)	\$14,493.00	\$14,493.00
06-JA-601	City of Omaha – JABG Phase 9 (\$114,545.00)	\$101,020.00	\$101,020.00
06-JA-602	City of Lincoln – Block Grant Program (\$72,045.00)	\$63,506.00	\$63,506.00
06-JA-603	Juvenile Justice Institute – Web Enabled Data System (\$0.00)	\$66,404.00	Withdrawn
06-JA-604	NE – HHS Office Of Juvenile Services (\$0.00)	\$177,421.00	\$177,421.00
	TOTAL	\$422,844.00	\$356,440.00

Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

G. Award of 2007 BYRNE/JAG/STATE Funds - \$1,191,833 Local Projects; \$713,438 State Projects

Nancy Steeves reported that the 2007 grant applications will be contingent on receiving the actual award from the federal government, who are approximately six months behind on getting awards distributed. Steeves stated she had not received the official award from BJA but is confident it will happen soon.

In respect to the local projects, there is \$1,169,977 in 2007 dollars plus \$21,856 of turn back money from 2004, for a total of \$1,191,833 available for award. This money was not put out on a competitive basis because of the limited amount of funds. The local task forces were allowed priority to come in on these funds based on the statewide strategy. All nine of the local task forces did come in on these funds and requested over \$1.4 million, which is approximately \$277,000 over in requests.

Warren asked Steeves to compare the 2006 award to the 2007 award in terms of percentage of increase or decrease.

Steeves responded by stating that the 2007 total award from BJA (federal government) was \$1,983,415; the 2006 total award was \$1,288,957; the 2005 total

award was \$2,180,976; and the 2004 total award was \$3,620,958. It was stated that there was a slight increase for 2007 from the 2006 amount available.

Steeves reported it appears Congress will be increasing the amount again for 2008. She stated the House of Representative is proposing \$600 million, and the Senate is proposing \$660 million for JAG money in 2008. However, it is still early. The appropriations committee will be making the recommendations, which then must go before the full House of Representatives, Senate and then Congress. Even though it is a long process, the outcome for next year does appear to be encouraging.

Motion

A motion was made by Brueggemann and seconded by Chase to accept the funding recommendations and contingency stipulations of award as outlined for the 2007 BYRNE/JAG/STATE Funds - \$1,191,833 of local projects; and \$713,438 of state projects as follows:

Local Projects

Available:	2007	\$ 1,169,977.00
	2004	\$ 21,856.00
	Total	\$ 1,191,833.00

Number	Agency/Title/Previous Award	Amount Requested	Staff Review Recommend	Grant Review Recommend	Award / Deny
07-DA-300	Fremont – City of Fremont (Ill Corps) (\$140,130)	\$177,322.00	\$177,320.00	\$177,320.00	Award
07-DA-302	No. Platte – No. Platte P.D. (C.O.D.E.) (\$135,000)	\$139,915.00	\$139,915.00	\$139,915.00	Award
07-DA-303	Norfolk – City of Norfolk (SNARE) (\$74,130)	\$110,700.00	\$80,000.00	\$80,000.00	Award
07-DA-304	Gering – Scotts Bluff County (WING) (\$155,160)	\$245,653.37	\$163,442.00	\$163,442.00	Award
07-DA-306	Omaha – City of Omaha (Metro Drug Task Force) (\$185,193)	\$233,374.00	\$197,350.00	\$197,350.00	Award
07-DA-308	Lincoln – Lincoln Police Dept. (Lincoln/Lancaster Co. Investigative Narcotics Coop.) (\$128,672)	\$215,829.12	\$171,856.00	\$171,856.00	Award
07-DA-309	Minden – City of Minden (CANDO) (\$66,130)	\$105,135.00	\$75,000.00	\$75,000.00	Award
07-DA-310	Beatrice – City of Beatrice (SEADE) (\$97,130)	\$104,087.00	\$50,000.00	\$50,000.00	Award
07-DA-311	Seward – City of Seward (RAP) (\$91,300)	\$136,950.00	\$136,950.00	\$136,950.00	Award
	TOTALS	\$1,468,965.49	\$1,191,833.00	\$1,191,833.00	

State Projects

Available: 2007 \$ 713,438.00

Number	Agency/Title/Previous Award	Amount Requested	Staff Review Recommend	Grant Review Recommend	Award / Deny
07-DA-301	Lincoln – NE Atty General's Office (Drug & Violent Crime Unit) (\$0)	\$178,557.00	\$102,087.00	\$102,087.00	Award
07-DA-305	Lincoln – NE State Patrol (MULE XVIII) (\$463,677)	\$682,537.00	\$542,959.00	\$542,959.00	Award
07-DA-307	Lincoln – Crime Commission (CJIS Support & Operations) (\$45,493)	\$55,774.00	\$55,774.00	\$55,774.00	Award
07-DA-312	Lincoln – NE Dept. of Corrections (Intelligence Sharing Initiative) (\$0)	\$12,618.51	\$12,618.00	\$12,618.00	Award
	TOTALS	\$929,486.51	\$713,438.00	\$713,438.00	

Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

H. Award of 2007 Residential Substance Abuse Treatment Grants - \$61,258

Steeves reported that these funds have been significantly reduced. She stated in the past, the Crime Commission has received approximately a little more than \$400,000 for the Residential Substance Abuse Treatment (RSAT) program. These funds have always been awarded to the Department of Corrections (DCS) RSAT because it is very difficult for local jails to meet the requirements of these funds. The requirement for RSAT is to provide residential treatment for incarcerated offenders in a totally separate area or building, and the treatment must last a minimum of 9 months. The Department of Corrections (DCS) is currently the only facility who can meet this requirement. Steeves recommended approval of the funding as listed below.

- Grant # 07-RT-1000, Department of Corrections Award: \$61,258

Motion

A motion was made by Brewster and seconded by Vaughn to accept the funding recommendation and contingency stipulations for the 2007 Residential Substance Abuse Treatment (RSAT) Grant Funds award of \$61,258 to the Department of Corrections, Grant #07-RT-1000. Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Moser, Tuma, Vaughn, Warren and White. Abstaining from the motion: Houston. Motion carried unanimously.

I. Award of 2007 Project Safe Neighborhoods Grant Funds

Steeves stated the Crime Commission serves as pass-through agency for the PSN grant. The PSN Advisory Board makes funding determinations. Steeves said the federal grant award for Anti-Gang efforts in the amount of \$214,147 has been received and awarded to the City of Omaha for a variety of special operations. The Commission has yet to receive the federal award for Anti-Gang Projects in the amount of \$214,147. Therefore, the funding recommendation for the Anti-Gang projects must be contingent upon receipt of the federal award.

For the 2007 Anti-Gun Project, \$60,000 was recommended to the City of Lincoln for special operations to address the gun issue across the city as well as anything connected to domestic violence; \$40,000 was recommended to the Douglas County Attorneys Office for part of the salary of a prosecutor to prosecute gun cases; \$5,145 was recommended to UNO-JJI to assist in the continued evaluation of the Project Safe Neighborhoods Project; and \$30,000 was recommended to the State Patrol for gun tracing. The Commission has yet to receive the federal award for Anti-Gun Projects in the amount of \$135,145. Therefore, the funding recommendation for the Anti-Gun projects must be contingent upon receipt of the federal award.

Motion

A motion was made by Chase and seconded by Brewster to accept the funding recommendation and contingency stipulations for the 2007 Project Safe Neighborhoods Grant Funds as follows:

- | | | |
|-----------|--|-------------------------|
| 1. | 2007 Anti-Gang Project | |
| | • Grant # 07-SN-8900, City of Omaha | Award: \$214,147 |
| 2. | 2007 Anti-Gun Project (Awards contingent upon receipt of Federal award) | |
| | • Grant # 07-SN-8901, City of Lincoln | Award: \$60,000 |
| | • Grant # 07-SN-8902, Douglas County Attorney | Award: \$40,000 |
| | • Grant # 07-SN-8903, UNO | Award: \$ 5,145 |
| | • Grant # 07-SN-8904, State Patrol | <u>Award: \$30,000</u> |
| | TOTAL | <u>\$135,145</u> |

Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Abstaining from Grant #07-SN-8902: Vaughn. Motion carried unanimously.

J. Award of Grant 05-JA-605 – UNO – Juvenile Justice Institute - \$66,404 Web-Enabled Data System (Diversion Case Management System)

Steeves reported the Juvenile Justice Coalition recommended approval for this award. This grant will provide funding for JJI to convert the current diversion

case management system into a web based application. This will take approximately 6 months to complete, and once this grant is approved, they will move forward with this project. These are funds that were available from the 2005 JABG grant award.

Motion

A motion was made by Moser and seconded by Brewster to accept the funding recommendation and contingency stipulations for the award of Grant 05-JA-605 – UNO – Juvenile Justice Institute - \$66,404, Web-Enabled Data System (Diversion Case Management System). Voting in favor of the motion: Arnold, Brewster, Brueggemann, Chase, Ford, Houston, Moser, Tuma, Vaughn, Warren and White. Motion carried unanimously.

K. Update on BYRNE/JAG/STATE Funds

Steeves provided this update when she discussed the approval of the BYRNE/JAG/STATE grant awards. **See letter “G” for this update.**

Warren asked Steeves if she had been following the Anti-Gang legislation that has been proposed. Warren stated that it is somewhat controversial and possibly in the interest of the Commission to appeal to our congressional delegation in support of the legislation. This legislation includes some anti-gun initiatives and prevention and intervention initiatives. Warren believes the controversy in terms of any federal prosecution on the transportation of guns across the state lines may have drawn some food for discussion. It is proceeding through the hearings and may be a possible funding source for us in the future.

L. Change in Focus of Grant #06-JJ-12 – to UNO/Juvenile Justice Institute from the DMC Initiative to the County Planning Initiative

Steeves reported this went before the Juvenile Justice Coalition, and they approved the change in focus. Originally this grant was to UNO-JJI for DMC (Disproportionate Minority Contact) activities. However, it was not a good fit for the person who was in this position and there was not sufficient work for this person for the amount of time this person was being paid. Steeves stated this person then took on some of the county planning efforts the crime commission needed help with. Crime Commission staff needs the most help with the county planning requirements; therefore, it was determined the County Planning Initiative would be a better use for these funds.

The DMC Committee has developed a detailed action plan of what needs to happen within the 10 counties who have been identified as having DMC issues. It was decided that this position would be a maximum of 20 hours per week, and the DMC Initiative will have a contract developed for an individual, which will be paid out of admin money. It is felt this is the best approach possible to help solve these issues.

No action by the Board was necessary.

M. Meth Initiative Grant

Steeves stated the COPS (Community Oriented Policing) Office invited the Crime Commission to apply for a Meth Initiative grant for the State. This application was received at the end of May, and there was not enough time to pull people together to gather ideas and information on how to best utilize the funds.

Therefore, it was determined to look at what was already in place and expand and enhance these efforts. The amount applied for was \$396,200 which will be used to enhance the task forces. These funds will also be used to enhance other law enforcement efforts in the following areas:

- physicals for officers investigating meth labs;
- the equipment needed to conduct investigations of meth labs;
- continued training for certification of these officers;
- funding for a prosecutor for the Drug Endangered Children's area;
- \$10,000 to help sponsor the annual conference conducted by the Drug Endangered Children's Alliance;
- After looking at DCS' treatment program, it was decided it needed to be enhanced and expanded into other institutions and provide more after care. This prompted the request for additional counselors in this area; and
- \$15,000 to conduct an evaluation of these efforts.

Three different entities across the State of Nebraska were invited to apply for these funds. Steeves reported we have not received word yet as to whether or not we will receive these funds.

Brueggemann asked if there will ever be any money for a study of meth addicts in jails at a local level who get no treatment, and the only thing they have to look forward to is getting out and doing meth again.

Steeves responded by saying that Community Corrections had Hank Robinson conduct a treatment study, which contains numerous recommendations on this issue. One example is a voucher program which is ran through Probation.

Houston confirmed this statement, but he reiterated that this program is ran for individuals on probation and a few who are on parole.

A discussion ensued confirming there is data available that addresses this issue and provides possible solutions. It was stated that it does appear difficult to get the help that may be truly needed.

No action by the Board was necessary.

XI. OTHER BUSINESS

Arnold requested perhaps a meeting be held in Grand Island once the new Law Enforcement center is completed.

XII. ADJOURNMENT

The next scheduled meeting of the Commission will be **Friday, October 26, 2007 at 9:30 AM in the Nebraska State Office Building, Lincoln, Lower Level Conference Room A.**

There being no further business, the meeting adjourned at 11:15 AM.

Respectfully Submitted,

Sarah J. Schoen
Administrative Assistant